

# Congress of the United States

Washington, DC 20515

EX PARTE OR LATE FILED  
January 10, 1997

RECEIVED

The Honorable Reed E. Hundt  
Chairman  
Federal Communications Commission  
1919 M Street, Room 814  
Washington, DC 20554

FEB 4 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Dear Mr. Chairman:

We have written to you previously regarding the Snowe-Rockefeller-Kerrey provision in the Telecommunications Competition and Deregulation Act (PL 104-104) directed at encouraging the development of telemedicine by public and non-profit institutions in rural areas. We appreciate your efforts in assembling the Telecommunications and Health Care Advisory Committee, and the hard work of the committee members. In light of the Joint Board's recent decision on Universal Services for health care, we are writing to highlight some areas of concern and to reiterate Congressional intent.

We strongly support telemedicine as a means to both increase rural access to quality health care and decrease overall health care costs. Telemedicine is becoming an increasingly important part of healthcare in rural America. Access to telemedicine means that a paramedic at the scene of an auto accident can send video and medical data directly to physicians and receive their recommendations within minutes. A family practitioner in a small town in West Virginia, Alaska, Arizona or anywhere else will be able to consult with a specialist at a regional hospital, instantly. Internet access to medical databases could save a North Dakota patient countless referrals while also reducing practitioner isolation from up-to-date health information.

Unfortunately, the long distances inherent in rural telemedicine have generally resulted in extremely high telecommunications rates that inhibit the development and use of telemedicine's life saving potential. It was for precisely this reason that Congress included health in the universal services provision: to give rural patients access to the same telemedicine services as urban patients by eliminating the distance element in telemedicine telecommunications rates. Distance-based rates would not meet the intent of Congress, so we were puzzled by the Joint Board's initial failure to wholeheartedly adopt the Advisory Committee's recommendation of distance-neutral rates. We strongly urge the Commission to adopt a distance-neutral rate structure for rural telemedicine services.

Infrastructure development is also of great concern. The Advisory Committee correctly understood that the Universal Services provision was intended to allow eligible telecommunications providers to build or upgrade the backbone infrastructure required for

No. of Copies rec'd 1  
List ABCDE

The Honorable Reed E. Hundt  
January 10, 1997  
Page two

telemedicine. We strongly recommend that the Commission allow Universal Services funds to be used for telemedicine infrastructure development to the fullest extent possible, and allocate adequate funds to ensure that the unique needs of telemedicine are met.

As part of our support for telemedicine services, we also strongly encourage the FCC to ensure that Internet access be available at local-toll rates (or, if feasible, toll-free), and that Internet infrastructure also be available to eligible rural providers under the Universal Service provisions of the Telecommunications Act. Again, we appreciate the Joint Board's concerns about the potential cost of these services, and the need for further data on Internet infrastructure development. However, the intent of this provision is that providers receive access to these services as quickly as possible, and that they not wait for the marketplace, which may or, as has happened many times in the past, may not respond to the communications needs of rural communities.

Finally, we believe the intent of the provision to be that the FCC create a flexible implementation program, one which responds quickly to the communication needs of rural communities but which revisits the issues of provider eligibility, eligible services, and infrastructure development on a regular basis, to ensure that both access and cost concerns are fairly balanced. We strongly encourage the FCC to adopt an implementation strategy in keeping with this intended flexibility.

If you have further questions or concerns, please feel free to contact us directly.

Sincerely,

Craig Thomas

Pat Roberts

Patrick Leahy

Earl J. Halliday

Reed Hundt

Bill Frist

Howard H. Callaway

John D. Dingell

The Honorable Reed E. Hundt

January 10, 1997

Page three

Rick Boucher

Ron Wyden

Chuck Grassley

Tom Harkin

Max Baucus

Lieke Larson

Larry Combs

Jerry Reid

Jim J. Ford

Mark G. ...